

B L A C K

H E L T E R L I N E LLP

ATTORNEYS AND COUNSELORS AT LAW

CLARENCE H. GREENWOOD
E-mail: chg@bhlaw.com

February 11, 2005

File No: K218-12

Attention of: ETPA-083

Gary Voerman, Manager
Aquatic Resources Unit
Office of Ecosystems, Tribal and Public Affairs
United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, WA 98101

Reference: Bridgeview Vineyards/Robert E. Kerivan

Dear Sirs:

This letter is in response to EPA's letter of January 12, 2005 which was not received in our office until January 17, 2005.

Bridgeview is prepared to engage in discussions regarding resolving this matter. Bridgeview, at this point, has been unable to formulate a proposal because it has not had the opportunity to review the evidence supporting EPA's assertion that a violation occurred.

Bridgeview did propose a restoration plan based on the Galli report filed by the EPA in August 2003. This report, as subsequently amended, was prepared in complete compliance with all requirements Bridgeview had been supplied with by the EPA. Despite this, it has been blocked by governmental agencies without any written rationale being supplied by the EPA as to why it is not an acceptable resolution to this matter.

We would request the opportunity to review the entire EPA evidentiary file and the basis for asserting that there was a 404 violation before making a further proposal.

We further ask that a meeting not be scheduled during the period of February 24, 2005 through March 6, 2005 because Mr. Kerivan will be out of the country.



1900 FOX TOWER 805 SOUTHWEST BROADWAY PORTLAND OREGON 97205-3359
TELEPHONE 503.224.5560 FACSIMILE 503.224.6148 WWW.BHLAW.COM

Gary Voerman, Manager
February 11, 2005 – Page 2

If there are any questions regarding this matter, please call the undersigned.

Sincerely yours,



Clarence H. Greenwood

CHG:mah
H:\Client\K218-12\Corr\Voerman ltr 01.doc
cc: Mr. Robert E. Kerivan